

COORDINATED TRIAL COURTS OF ORANGE COUNTY RULES

DIVISION 4

CIVIL (CASES OVER \$25,000)

<u>Rule</u>	<u>Effective</u>
CHAPTER 1. GENERAL CIVIL PRACTICE	
400. Preparation of Forms for Order.	03/15/84
404. Orders to Show Cause - Disposition of Original Papers.	03/15/84
416. Execution on Installment Judgments.	07/01/98
CHAPTER 2. CASE MANAGEMENT	
430. General.	-
431. Classification.	07/01/95
432. All-Purpose Assignment to Judge.	05/01/94
433. Peremptory Challenges.	01/01/98
435. Designation - Subsequent Documents.	07/01/94
436. Improper Refiling of Cases.	07/01/94
438. Service of Complaint.	-
439. Responsive Pleadings/Certificate of Inability to Respond/Default.	-
440. Cross-Complaints.	07/01/92
441. Meet and Confer Statement.	07/01/00
442. Ex Parte Application.	05/01/94
443. Thirty-Day Stipulated Suspension of Time.	-
444. Evaluation Conference.	07/01/92
445. Joint Case Management Statement.	07/01/92
446. Arbitration.	07/01/98
447. Special Master.	07/01/92
448. Mandatory Settlement Conference.	07/01/00
450. Issue Conference/Case Management Conference.	07/01/96
451. Collection Cases.	07/01/92
453. No Extensions Without Court Approval.	-
454. Sanctions.	07/01/96
455. Settlement, Federal Removal, Binding Arbitration.	07/01/92
456. Uninsured Motorist/Construction Defect/Toxic Pollution Cases.	07/01/94
457. Effect of Bankruptcy Proceedings.	07/01/91

APPENDIX

A. Summary of Required Filings.07/01/94

Chapter 1

General Civil Practice

RULE 400. PREPARATION OF FORMS FOR ORDER

Counsel must prepare and submit to the court, forms for all orders, decrees and judgments, and shall, when requested by the clerk, prepare forms for any and all minute orders to be entered by him/her.

(Renumbered effective March 15, 1984)

RULE 404. ORDERS TO SHOW CAUSE - DISPOSITION OF ORIGINAL PAPERS

The original of the OSC issued by a judge of this Court, together with the originals of all supporting documents, shall be retained by the clerk of the department issuing the order or by the judge of that court. These originals will then be sent to the Clerk's Office for entry in the register and calendaring. The return of service on the order must be filed with the clerk of the judge hearing the matter by 4:30 P.M. on the third court day before the day of the hearing. If not so filed the matter may be ordered off calendar.

(Renumbered effective March 15, 1984)

RULE 416. EXECUTION ON INSTALLMENT JUDGMENTS

Application for issuance of a writ of execution on orders or judgments payable in installments shall be by declaration or affidavit of the party in whose favor the judgment was rendered, setting forth: (1) the pertinent provisions of such order or judgment, (2) the total principal matured, (3) the total principal paid, (4) the total principal unpaid, (5) if interest is claimed, the date of maturity of each installment on which interest is claimed, (6) the amount of interest claimed and (7) that no change of condition affecting the monetary amount due under the order or judgment, or any installment thereof has occurred. (If there has been any such change, the circumstances thereof must be fully disclosed.)

(Renumbered effective March 15, 1984; revised effective July 1, 1998)

Chapter 2

Case Management

RULE 430. GENERAL

In addition to these Civil Rules, attorneys and those persons appearing in propria persona shall comply with the provisions of the California Rules of Court and all other Orange County Rules of Court and Policies.

RULE 431. CLASSIFICATION

All cases described as personal injury, eminent domain, and other civil, filed after January 1, 1991, shall be subject to civil case management. Abandonment, adoption, mental health and civil petitions (including extraordinary writs), conservatorship, uninsured motorist cases, family law and related matters shall be excluded from civil case management.

Eligible cases filed prior to January 1, 1991 shall be phased in by random assignment, as set forth in Rule 432.

Misrepresentation by either or both plaintiff and/or defendant regarding case classification may, if not detected by the Clerk's Office, lead to improper classification of the case. In those instances where that occurs and the misclassification has been discovered the case shall, if eligible, be placed in the random selection and assignment processes used in civil case management. Counsel and/or the parties may be subject to sanctions according to law.

(Revised effective May 1, 1994; revised effective July 1, 1995)

RULE 432. ALL-PURPOSE ASSIGNMENT TO JUDGE

Cases which are subject to civil case management shall be randomly assigned to a judge for all purposes, who shall thereafter handle all proceedings in the case, including but not limited to, law and motion, pretrial (settlement) conferences, in limine motions and the trial. Nothing herein shall be construed to interfere with the power of the presiding judge to assign or reassign cases pursuant to Rule 205(6), California Rules of Court.

(Revised effective July 1, 1992; revised effective July 1, 1993; revised effective May 1, 1994)

RULE 433. PEREMPTORY CHALLENGES

If a motion to disqualify a judge is timely and duly presented pursuant to Section 170.6 of the Code of Civil Procedure, the cause shall be transferred to the presiding judge for reassignment. If the presiding judge has previously been disqualified from hearing any matter as to that same cause, the reassignment shall be by the assistant presiding judge.

(Revised effective July 1, 1992; revised effective May 1, 1994; revised effective January 1, 1995; revised effective July 1, 1998)

RULE 435. DESIGNATION - SUBSEQUENT DOCUMENTS

All documents filed in cases subject to civil case management, with the exception of the original summons and original civil complaint, shall have clearly typed on the face page of each document, under the case number, the following:

ASSIGNED FOR ALL PURPOSES TO:

JUDGE (insert name)

DEPARTMENT (insert no.)

The name of the judge to whom the case has been assigned shall be designated on the face page of each document. In addition, the face page of any subsequent document shall also contain information identifying the document, the hearing date, department, the date action was filed and the trial date, if any, which shall be below the case and judge designation.

Any petition for coordination brought pursuant to Code of Civil Procedure, section 404, et seq., or California Rules Of Court 1501, et seq., and Rule 1521, et seq., which involves a case subject to civil case management, shall indicate the name of the judge assigned for all purposes in the caption of the document.

(Revised effective July 1, 1994)

RULE 436. IMPROPER REFILEING OF CASES

A party shall not dismiss and thereafter refile a case for the purpose of having such case assigned to a different judge.

Whenever a case is dismissed and thereafter another case is filed involving the same, or essentially the same, parties, facts, or causes of action as the prior case, the plaintiff in any such subsequently filed case shall disclose such facts on the face page of the new Complaint. The subsequently filed case shall be assigned to the same judge for all purposes as the prior case.

(Revised effective July 1, 1992; revised effective July 1, 1994)

RULE 438. SERVICE OF COMPLAINT

Within 60 days of filing the complaint it must be served and a proof of service filed with the court unless a Certificate of Progress is filed indicating why service has not been effected and what is being done to effect service. Upon filing the Certificate of Progress the judge may conduct a hearing to determine if a date can be set by which service will be effected.

The failure to serve the Complaint and file proof of service or to file the Certificate of Progress as required herein may result in the issuance of an order to show cause re sanctions for failure to comply with the rule. Responsive papers must be filed and served five court days in advance of the hearing.

RULE 439. RESPONSIVE PLEADINGS/CERTIFICATE OF INABILITY TO RESPOND/DEFAULT

Each party served shall file and serve all necessary responsive pleadings within the time required by code or file a Certificate of Inability to Respond stating why a responsive pleading could not, with due diligence, have been filed. The parties may stipulate to an additional 15 days for filing of responsive pleadings, however, plaintiff may not extend the time for filing responsive pleadings beyond 15 days without prior approval of the court.

Time for service of notice or other paper under sections 1005 and 1013 of the Code of Civil Procedure and time to plead after service of summons under section 412.20 of the Code of Civil Procedure shall not be shortened except as provided in those sections.

The failure to file a responsive pleading or the filing of a Certificate of Inability to Respond may, at the discretion of the Court, result in a noticed hearing to determine when a responsive pleading shall be filed and the issuance of an order requiring it to be filed. The failure to file either a responsive pleading or a Certificate of Inability to Respond may result in the entry of a default judgment.

RULE 440. CROSS-COMPLAINTS

No cross-complaint shall be filed by a defendant after the date that defendant's answer has been filed, without leave of court, except where provided by statute. A cross-complainant may not grant any cross-defendant an extension of time to file a responsive pleading to a cross-complaint beyond the date set for the Evaluation Conference called for in Rule 444.

Cross-complaints and responsive pleadings thereto shall be controlled by these rules. A cross-complaint against an existing or new party or parties shall be served within 10 days of its filing unless a Certificate of Progress is filed indicating why service has not been effected and what is being done to effect service.

In order to assure the expedited handling of a case, the court, on noticed motion by any party or its own noticed motion, may sever a cross-complaint where continued processing of said cross-complaint will result in undue delay in bringing the underlying complaint to trial.

(Revised effective July 1, 1992)

RULE 441. MEET AND CONFER STATEMENT

Within 20 days after service of the responsive pleading by the first responding defendant, and thereafter as each defendant responds, counsel for the parties shall meet and confer for the following purposes:

- A. To discuss facts which are presently available to support the allegations of the pleadings filed by each party.
- B. To discuss possible settlement of the action including possible arbitration.
- C. To exchange preliminary schedules of discovery.

Where necessary in multi-defendant cases, and upon a showing of good cause, counsel may apply for one extension of time within which to hold said meeting.

Counsel shall file a joint Meet and Confer Statement within 30 days after service of the responsive pleading. It shall be the responsibility of the plaintiff to arrange the conference and to prepare the joint statement, including areas of disagreement for all counsels' signature.

Failure to comply with the requirements of this rule may result in sanctions pursuant to Rule 454.

(Adopted effective April 22, 1991; revised effective July 1, 1991; revised effective July 1, 1992; revised effective July 1, 2000)

RULE 442. EX PARTE APPLICATION

Unless otherwise ordered, all ex-parte applications involving cases subject to civil case management shall be heard before the judge to whom said case has been assigned.

(Revised effective July 1, 1992; revised effective May 1, 1994)

RULE 443. THIRTY-DAY STIPULATED SUSPENSION OF TIME

No later than 30 days after service of the responsive pleadings, the parties may, by stipulation filed with the court, agree to a single suspension of time, for purposes of negotiation and settlement discussions, not to exceed 30 days.

RULE 444. EVALUATION CONFERENCE

No earlier than 135 days nor later than 195 days from the date of filing of the complaint, all trial counsel and all parties not represented by counsel shall attend an evaluation conference. All represented parties shall be available by telephone.

The purpose of this conference shall be as follows:

- A. Evaluation of nature and complexity of case for purposes of placing case on an individual management track;
- B. Discussion of law and motion and discovery matters;
- C. Determination of appropriate time standards other than those contained in the rules;
- D. Classification of collection or promissory note cases, which shall be subject to Rule 451;
- E. Referral to a special master or an alternative dispute resolution program, including but not limited to arbitration;
- F. Setting of a mandatory settlement conference date, if deemed necessary.

At the conclusion of the evaluation conference, the court shall make orders which may include a discovery schedule, mandatory settlement conference or trial date. The court shall order a party to prepare a notice regarding the court's orders and serve it on all parties, filing the original and proof of service with the court within 10 days after the evaluation conference.

(Revised effective July 1, 1992)

RULE 445. JOINT CASE MANAGEMENT STATEMENT

At least five days prior to any evaluation conference described in Rule 444, counsel for plaintiff shall insure that the parties execute and file a Joint Case Management Statement directly with the judge to whom the case is assigned.

Failure to file or cooperate in completion of this document will result in an order to show cause why sanctions should not be imposed, both monetary or evidentiary, pursuant to Rule 227, California Rules of Court, Code of Civil Procedure 177.5 and Code of Civil Procedure 128.5. In the event all parties are unable or unwilling to execute this document, the submitting party shall submit the document along with a declaration.

(Revised effective July 1, 1992)

RULE 446. ARBITRATION

Counsel may stipulate, at any time after the filing of the complaint, to a waiver of Government Code section 68616(g) for the purpose of allowing the court to order the case into arbitration, per Code of Civil Procedure sections 1141.10, et seq. or 1280, et seq., at an earlier date. If counsel so stipulate prior to the evaluation conference, the court will schedule a review conference to a date following the conclusion of the arbitration. If no request for trial de novo is filed, the review conference date will be vacated.

Any matter referred to arbitration shall remain with the judge to whom it has been assigned for all purposes.

Counsel may stipulate to arbitration referral whether or not discovery has been completed in the case. In the absence of any stipulation of counsel, the court may order the case into arbitration.

When the case is ordered into arbitration, the arbitration award must be filed in compliance with Rule 1615, California Rules of Court. Counsel shall agree upon an arbitrator within five days of the court order, or the arbitration administrator shall appoint one.

Nothing herein shall be construed to deprive the parties of the arbitration procedures outlined in Code of Civil Procedure sections 1141.10, et seq., or 1281, et seq. If a trial de novo is requested, the matter shall be returned to the assigned judge for a review conference, and setting of other appropriate dates, including mandatory settlement conference and/or trial.

For additional procedures regarding arbitration, see Rule 360.

(Revised effective July 1, 1992; revised effective July 1, 1998)

RULE 447. SPECIAL MASTER

If it is determined the matter should be referred to a special master for an accounting or other designated proceedings the court on its own motion or upon stipulation of the parties shall make the referral. The work of the special master shall be completed before the mandatory settlement conference (Rule 448).

(Revised effective July 1, 1992)

RULE 448. MANDATORY SETTLEMENT CONFERENCE

- A. All trial counsel and parties shall attend a mandatory settlement conference set by the trial judge. Absent any objection filed by counsel, the settlement conference shall be held by the trial judge. When an objection has been filed, the case shall be referred to the supervising judge of the panel for assignment to one of the other judges on the same panel for purposes of settlement conference, only.
- B. The parties shall execute a Settlement Conference Statement in the form adopted by the court, and shall lodge same with the clerk's office no later than five days prior to the mandatory settlement conference. The statement shall be confidential, shall be sealed at the conclusion of the conference, and shall be opened only by stipulation of the parties or subsequent court order.
- C. The purposes of the mandatory settlement conference shall include:
 - 1. Settlement discussions;
 - 2. Setting of a trial date, if not already set;
 - 3. Such other matters which may be necessary to assure a just and expeditious disposition of the case.
- D. At the conference, the attorney who will try the case must be present or represented by someone completely familiar with the case and who has full authority to enter into stipulations. If the court finds plaintiff or cross-complainant has not proceeded with due diligence in preparing the case for trial, the case, as to that party, may be dismissed pursuant to sections 583.410 et seq. or 581(d) of the Code of Civil Procedure and/or sanctions imposed pursuant to Rule 454. If the court finds that any defendant or cross-defendant has failed to comply with these rules, the court may impose sanctions pursuant to Rule 454.

- E. The failure of any person to prepare reasonably for, appear at, or participate in good faith in a settlement conference as required by this rule, unless good cause is shown for that failure, is an unlawful interference with the proceedings of the court, and the court may order the person at fault to pay the opposing party's reasonable expenses and attorney fees.
- F. Continuance of a mandatory settlement conference will not be granted on the receipt of a written stipulation alone, and under no circumstance by way of a phone call.
- G. Any objection to the trial judge conducting the mandatory settlement conference shall be filed concurrent with the filing of the Settlement Conference Statement. If no such objection is filed, any future right to object shall be deemed waived.
- H. DUTIES OF COUNSEL:
 - 1. Duties of Plaintiff's and Cross-Complainant's Counsel:
 - a. Counsel shall notify their client(s) in writing of the date, time, and department of the mandatory settlement conference and of the court's requirement that they be personally present. A copy of such written notification or, at counsel's choice, a declaration attesting that such written notification was given shall be brought to the hearing and submitted to the court upon request.
 - b. At least 10 days prior to the hearing, counsel shall serve a settlement demand on all defendant's and cross-defendant's counsel. The demand, with proof of service attached, is to be brought to the hearing, NOT filed in advance.
 - 2. Duties of Defendant's and Cross-Defendant's Counsel:
 - a. Counsel shall notify their client(s) in writing of the date, time, and department of the mandatory settlement conference and of the court's requirement that they be personally present. A copy of such written notification or, at counsel's choice, a declaration attesting that such written notification was given shall be brought to the hearing and submitted to the court upon request.

- b. Counsel shall notify all insurance carriers which may provide coverage to the client in connection with the matter in litigation in writing of the date, time, and department of the mandatory settlement conference and of the court's requirement that they have present a representative with full and unconditional authority to settle. A copy of such written notification or, at counsel's choice, a declaration attesting that such written notification was given shall be brought to the hearing and submitted to the court upon request.
- c. No more than five days after receipt of the settlement demand described in section 1.b. hereof, counsel shall serve a response to the settlement demand on plaintiff's and cross-complainant's counsel. Said response, with proof of service attached shall be brought to the hearing, NOT filed in advance.

I. DUTIES OF PARTIES AND INSURANCE CARRIERS:

1. Duties of Plaintiffs and Cross-Complainants:

- a. All plaintiffs and cross-complainants must be personally present. Appearance by an attorney claiming to have settlement authority does not satisfy this requirement.
- b. If a plaintiff and/or cross-complainant is an entity other than a natural person, ALL PERSONS WHOSE CONSENT TO A SETTLEMENT IS NECESSARY MUST BE PRESENT, unless the representative present has written authorization, signed by all persons whose consent is required, extending unlimited and unconditional authorization to that representative to enter into a settlement.

2. Duties of Defendants and Cross-Defendants:

- a. All defendants and cross-defendants must be personally present, unless an insurance carrier acknowledges an unqualified and unlimited duty to indemnify in connection with the matter in litigation and the consent of the client to the settlement is not required. Appearance by an attorney claiming to have settlement authority does not satisfy this requirement.

- b. If the defendant and/or cross-defendant is an entity other than a natural person, ALL PERSONS WHOSE CONSENT TO A SETTLEMENT IS NECESSARY MUST BE PRESENT, unless the representative present has written authorization, signed by all persons whose consent is required, extending unlimited and unconditional authorization to that representative to enter into a settlement.

3. Duties of Insurance Carriers:

Each insurance carrier which acknowledges a duty to indemnify the defendant(s) and cross-defendant(s) and each insurance carrier as to which any party contends there is a duty to indemnify the defendant(s) and cross-defendant(s), whether such contention is disputed or not, shall have a representative present. SUCH REPRESENTATIVE SHALL BE THAT PERSON WHO HAS THE UNLIMITED AND UNCONDITIONAL AUTHORITY TO ENTER INTO A SETTLEMENT. All persons whose consent to the settlement is necessary shall attend the settlement conference.

4. Duty of All Parties and Insurance Carriers:

All parties and insurance carriers must be prepared to make good faith offers of settlement.

5. Waiver of Requirement of Personal Presence:

Whenever this rule requires a party or representative to be personally present, the court may waive such requirement provided (a) good cause is shown and (b) the application for waiver is made prior to the date scheduled for the mandatory settlement conference. In granting such application, the court may impose appropriate conditions.

(Revised effective July 1, 1992; revised effective July 1, 1993; revised effective July 1, 2000)

RULE 450. ISSUE CONFERENCE/CASE MANAGEMENT CONFERENCE

An issue conference will be required in all cases at least

10 days prior to trial, at which time counsel are to meet and confer and execute necessary documents as listed below. Counsel for the plaintiff shall arrange the issue conference at a mutually agreeable time and location.

At the issue conference the parties shall:

- A. Exchange exhibits and inspect photos and diagrams (to be submitted on the date of trial), excluding those contemplated to be used for impeachment or rebuttal.
- B. Stipulate to all facts amenable to stipulation.
- C. Prepare a Joint Statement of the Case.
- D. Prepare a Joint Witness List, excluding impeachment or rebuttal witnesses.
- E. Prepare a Joint List of Controverted Issues. If all the parties fail to agree to an issue as controverted or uncontroverted, then the issue is controverted. (required for both jury and non-jury trials)
- F. Exchange all motions in limine, etc.
- G. Prepare voir dire questions for the court to include in its voir dire. (jury trials only)
- H. Execute the Statement of Compliance.

The above items, including opposition to motions in limine, trial briefs and the Statement of Compliance signed by all counsel, shall be submitted to the courtroom clerk in the department of the judge to whom the case has been assigned for trial, or, if not so assigned, with the clerk in Department 1 no later than noon of the Friday before trial.

NOTE: Failure to conduct the issue conference as required may result in sanctions pursuant to Rule 454.

At the discretion of the assigned judge, a case management conference may be scheduled in lieu of or in addition to the issue conference.

(Revised effective July 1, 1992; revised effective July 1, 1995; revised effective July 1, 1996)

RULE 451. COLLECTION CASES

A matter is a collection case if the cause of action is for the recovery of damages that are easily computable from the documentation filed with the complaint and shall be subject to the following special rules:

- A. Disputes regarding whether or not a matter is a collection case may be resolved by the trial judge on the motion of any party, filed not later than 30 days after

service has been completed on the first defendant, if the motion is by the plaintiff, or on the moving party if the motion is by a defendant. If the court determines the matter is a collection case at the motion hearing, the court may then proceed to set a trial date. The court shall, if the matter has not been determined earlier, resolve whether or not the matter is a collection case at the evaluation conference (Rule 444).

- B. Collection cases may be dismissed on the court's own motion 90 days after it is determined to be a collection case unless:
 - 1. A default judgment has been entered;
 - 2. A Certificate of Due Diligence has been filed stating why the defendant has not been served;
 - 3. A stipulated judgment payable in full or in installments or an agreement for periodic payments has been entered into and a copy of said agreement received by the court clearly setting forth the date certain of the last installment payment. (The copy of said agreement, at the request of the parties, may be confidential.) A judgment or agreement to pay in installments shall set forth the date certain of the last payment. If an agreement, it shall provide for the entry of judgment in the event of a payment default not cured within a reasonable time of said default.
- C. The time within which a stipulated judgment or agreement for periodic payments is required to be completed may be extended for good cause upon noticed motion.
- D. If the defendant has neither been served nor an agreement for periodic payments has been entered into, a Certificate of Due Diligence must be refiled every 90 days unless there is an Application for Order for Publication pending.
- E. Upon completion of the periodic payments, the plaintiff shall dismiss the action.

In those cases where liability is denied, every effort shall be made to have the matter concluded within 90 days after it is determined that the matter is a collection case. To that end, the evaluation conference (Rule 444) may also serve as the trial setting conference.

(Revised effective July 1, 1992)

RULE 453. NO EXTENSIONS WITHOUT COURT APPROVAL

Except as specifically allowed by these rules, no hearing date or deadline specified by the rules of this division may be modified, extended, or continued by stipulation of the parties, without the written approval of the judge.

RULE 454. SANCTIONS

Upon notice and after hearing, if the court finds any counsel, a party represented by counsel, or a party in propria persona has failed to comply with these local court rules or has not proceeded with due diligence in preparing the case for trial, the court, on motion of a party or on its own motion, may: 1) strike all or any part of any pleading of that party; 2) dismiss the action or proceeding or any part thereof; 3) enter a judgment by default against that party; 4) impose other penalties of a lesser nature as provided by law, and/or; 5) order that party or his or her counsel to pay the moving party the reasonable expenses incurred in making, and/or appearing at the hearing of, the motion, including reasonable attorney fees.

(Revised effective July 1, 1996)

RULE 455. SETTLEMENT, FEDERAL REMOVAL, BINDING ARBITRATION

Upon the settlement of a case with terms not to be performed within 45 days of the settlement, or removal of a case to Federal Court or submission of a case to binding arbitration, the Court may order monitoring of the case suspended. The Court may set a Review Hearing for a future date to evaluate the status of the case.

The parties are ordered to comply with California Rules of Court, Rule 225, by filing a dismissal upon completion of settlement terms or by notifying the department of the assigned judge if the stay is vacated or upon dismissal or judgment following binding arbitration.

(Revised effective July 1, 1992)

RULE 456. UNINSURED MOTORIST/CONSTRUCTION DEFECT/TOXIC POLLUTION CASES

Those cases in which an action is filed against a defendant who is an uninsured motorist, and where the plaintiff's claim is subject to an arbitration provision, should be identified as "Uninsured Motorist" on the face of the complaint at the time of filing, or as soon thereafter as it becomes known. Uninsured motorist cases will not be assigned to a judge for all purposes.

Those cases which involve causes of action for construction defect or toxic pollution should be identified accordingly on the face of the complaint at the time of filing so that such cases may immediately be assigned to a judge on the complex panel.

(Revised effective July 1, 1994)

RULE 457. EFFECT OF BANKRUPTCY PROCEEDINGS

In cases where a defendant or cross-defendant is a debtor in a pending bankruptcy proceeding, the plaintiff or cross-complainant shall continue to prosecute the action against all defendants or cross-defendants not protected by a stay order.

Plaintiff shall, within 45 days of receipt of notice or knowledge of any defendant's pending bankruptcy proceeding, file with this court an Application and Order to Suspend Monitoring as to the defendant(s) in the bankruptcy proceeding, setting forth the identity of the Federal court, the debtor in bankruptcy, the case number, and the type of proceeding. Plaintiff shall attach a declaration stating that the plaintiff will move the Bankruptcy Court for relief from the automatic stay or set forth facts showing that such motion is not warranted.

(Adopted January 1, 1991; revised effective July 1, 1991)

DIVISION 4

APPENDIX A

SUMMARY OF REQUIRED FILINGS

<u>DOCUMENT REQUIRED</u>	<u>OCSC RULE</u>	<u>TIME FRAMES</u>	<u>FORM FORMAT</u>
MEET AND CONFER STATEMENT	441	SIGNED BY ATTORNEYS AND FILED WITHIN 30 DAYS OF THE FILING OF THE FIRST RESPONSIVE PLEADING	PRE-PRINTED FORM TITLED "MEET AND CONFER STATEMENT". AVAILABLE IN CLERK'S OFFICE
JOINT CASE MANAGEMENT STATEMENT	444	PREPARED BY ATTORNEYS AND FILED FIVE DAYS PRIOR TO EVALUATION CONFERENCE	PRE-PRINTED FORM TITLED "JOINT CASE MANAGEMENT STATEMENT (EVALUATION CONFERENCE)". AVAILABLE IN CLERK'S OFFICE
SETTLEMENT CONFERENCE STATEMENT	448	PREPARED BY ATTORNEYS AND LODGED WITH COURT FIVE DAYS PRIOR TO MANDATORY SETTLEMENT CONFERENCE	PRE-PRINTED FORM TITLED "SETTLEMENT CONFERENCE STATEMENT". AVAILABLE IN CLERK'S OFFICE
STATEMENT OF COMPLIANCE	450	PREPARED BY ATTORNEYS AND SUBMITTED TO COURT BY NOON OF FRIDAY BEFORE TRIAL DATE	PRE-PRINTED FORM TITLED "STATEMENT OF COMPLIANCE". AVAILABLE IN CLERK'S OFFICE

(Adopted effective July 1, 1992; revised effective July 1, 1994)